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10/581,691	06/06/2006	Katsumi Sano	566.46259X00	3936

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EXAMINER	
PATTON, SPENCER D	

ART UNIT	PAPER NUMBER
3664	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/581,691	SANO ET AL.	
	Examiner	Art Unit	
	SPENCER PATTON	3664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 August 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06 June 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *8/27/2009*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. The amendment and IDS filed 8/27/2009 has been entered. Claims 1-4 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

4. Claim 1 requires a first searching unit and a second searching unit; however the specification only provides support for a single searching unit 14.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. **Claims 1 and 3** are rejected under 35 U.S.C. 103(a) as being unpatentable over *iQue 3600 integrated handheld Que applications guide* in view of Makoto et al (JP 06-

323863), Reggie (Review: The Garmin iQue 3600), and Koh et al (US Publication No. 2005/0027926).

iQue teaches:

Re claim 1. A navigation system comprising:

a storing unit adapted to store link data of a link configuring a road on a map and a data size of link data within each mesh area (Reggie teaches, at the screenshot with "Map Install" in the title bar, that the iQue navigation system includes storing the data size of the data for sections of the map. These sections of the map can be considered links, and the total selected area can be considered a mesh area.);

a unit adapted to read the data size of the link data within the each mesh area from the storing unit, and to store the data size within a memory (Reggie, screenshot);

a unit adapted to detect a stop of the vehicle (iQue 3600 page 2, fourth bullet and picture);

a unit adapted to detect a current position of the vehicle in case the stop of the vehicle is detected or in case the navigation system itself is started (page 2, third bullet and picture);

a unit adapted to accept a setting of the destination (page 16, point 6).

Re claim 3. A route searching method in a navigation system comprising:

a storing unit adapted to store link data configuring a road on a map and a data size of link data within each mesh area (Reggie teaches, at the screenshot with "Map Install" in the title bar, that the iQue navigation system includes storing the data size of

the data for sections of the map. These sections of the map can be considered links, and the total selected area can be considered a mesh area.); and

a unit adapted to read the data size of the link data within the each mesh area from the storing unit, and to store the data size within a memory (Reggie, screenshot); wherein:

the navigation system executes,

a step for detecting a stop of the vehicle (iQue 3600 page 2, fourth bullet and picture);

a step for detecting a current position of the vehicle in case the stop of the vehicle is detected or in case the navigation system itself is started (page 2, third bullet and picture);

a step for accepting a setting of the destination (page 16, point 6);

iQue fails to specifically teach: **(re claim 1)** a first searching unit adapted to read the link data from the storing unit, and to search a route from the detected current position to an intersection within a range of a predetermined distance, by using the link data; a second searching unit adapted to read the link data from the storing unit and to search a route from the intersection to the destination in case the setting of the destination is accepted; and a unit adapted to specify a route which is composed of the route searched from the current position to the intersection by the first searching unit and the route searched from the intersection to the destination by the second searching unit, as a recommended route; **(re claim 3)** a first searching step for reading the link

data from the storing unit and searching a route from the detected current position to an intersection within a range of a predetermined distance, by using the link information data; a second searching step for reading the link data from the storing unit and searching a route from the intersection to the destination by using the link data, in case the setting of the destination is accepted; and a step for specifying a route which is composed of the route searched from the current position to the intersection by the first searching unit and the route searched from the intersection to the destination by the second searching unit, as a recommended route.

Makoto et al teaches, at the abstract, Figure 2, and paragraph [0020], calculating a route, using nodes and links, from an intersection within a predetermined distance of the starting point (in this case 50 m) to a destination and using this route to guide a user.

In view of Makoto et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the navigation system as taught by iQue, **(re claim 1)** a first searching unit adapted to read the link data from the storing unit, and to search a route from the detected current position to an intersection within a range of a predetermined distance, by using the link data; a second searching unit adapted to read the link data from the storing unit and to search a route from the intersection to the destination in case the setting of the destination is accepted; and a unit adapted to specify a route which is composed of the route searched from the current position to the intersection by the first searching unit and the route searched from the intersection to the destination by the second searching unit, as a

recommended route; **(re claim 3)** a first searching step for reading the link data from the storing unit and searching a route from the detected current position to an intersection within a range of a predetermined distance, by using the link information data; a second searching step for reading the link data from the storing unit and searching a route from the intersection to the destination by using the link data, in case the setting of the destination is accepted; and a step for specifying a route which is composed of the route searched from the current position to the intersection by the first searching unit and the route searched from the intersection to the destination by the second searching unit, as a recommended route; since Makoto et al teaches this method of route searching which is an art recognized equivalent of the method of route searching employed by iQue.

iQue as modified by Makoto et al fails to specifically teach: **(re claim 1)** wherein: the first and second searching units refer to the data size of the link data within the each mesh area stored in the memory before reading the link data, and confirms whether or not the link data can be developed on the memory; **(re claim 3)** the navigation system further executes a step for referring to the data size of the link data within the each mesh area stored in the memory, before the first and second searching steps read the link data, and a step for confirming whether or not the link data can be developed on the memory.

Koh et al teaches, at paragraph [0028], determining if a memory unit provides enough space for storing data from another source. This ensures that a write operation will be successful.

In view of Koh et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the navigation system as taught by iQue as modified by Makoto et al, **(re claim 1)** wherein: the first and second searching units refer to the data size of the link data within the each mesh area stored in the memory before reading the link data, and confirms whether or not the link data can be developed on the memory; **(re claim 3)** the navigation system further executes a step for referring to the data size of the link data within the each mesh area stored in the memory, before the first and second searching steps read the link data, and a step for confirming whether or not the link data can be developed on the memory; since Koh et al teaches determining if a memory unit provides enough space for storing data, and the screenshot of Reggie teaches obtaining the data size of the individual map sections. This will ensure that a write operation will have enough room to be successful.

7. **Claims 2 and 4** are rejected under 35 U.S.C. 103(a) as being unpatentable over *iQue 3600 integrated handheld Que applications guide* in view of Makoto et al (JP 06-323863), Reggie (Review: The Garmin iQue 3600), Koh et al (US Publication No. 2005/0027926), and Yokoyama (US Patent No. 5,654,908).

iQue teaches:

Re claim 2. A navigation system comprising:

a storing unit adapted to store link data of a link configuring a road on a map and a data size of link data within each mesh area (Reggie teaches, at the screenshot with "Map Install" in the title bar, that the iQue navigation system includes storing the data size of the data for sections of the map. These sections of the map can be considered links, and the total selected area can be considered a mesh area.),

a unit adapted to read the data size of the link data within the each mesh area from the storing unit, and to store the data size within a memory (Reggie, screenshot),

a unit adapted to detect the current position of the vehicle (iQue 3600, page 2, third bullet);

a unit adapted to accept an input of the destination from a user (pages 16 and 18);

a unit adapted to display a screen to accept confirmation from the user whether or not the destination accepted is erroneous, on the display device (page 19, clicking on correct address in the upper right figure);

Re claim 4. A navigation system comprising:

a storing unit adapted to store link data configuring a road on a map and a data size of link data within each mesh area (Reggie teaches, at the screenshot with "Map Install" in the title bar, that the iQue navigation system includes storing the data size of the data for sections of the map. These sections of the map can be considered links, and the total selected area can be considered a mesh area.); and

a unit adapted to read the data size of the link data within the each mesh area from the storing unit, and to store the data size within a memory (Reggie, screenshot); wherein:

the navigation system is connected with a display device (iQue, page 2, picture), and

the navigation system executes,

a step for detecting a current position of the vehicle (page 2, third bullet and picture);

a step for accepting an input of the destination from a user (pages 16 and 18);

a step for displaying information to accept confirmation from the user whether or not the destination accepted is erroneous (page 19, clicking on correct address in the upper right figure);

iQue fails to specifically teach: **(re claim 2)** a unit adapted to set the destination in case data indicating that the destination is not erroneous is accepted from the user; a searching unit adapted to read the link data from the storing unit and search the route from the detected current position to the accepted destination by using the link information data, before the destination is set, in case the input of the destination is accepted; and a unit adapted to specify the searched route as a recommended route in case the destination is set; **(re claim 4)** a step for setting the destination in case data indicating that the destination is not erroneous is accepted from the user; and a step for reading the link data from the storing unit and searching a route from the detected

current position to the accepted destination by using the link data, before the destination is set, in case the input of the destination is accepted; and a step for specifying the searched route as a recommended route in case the destination is set.

Yokoyama teaches, at Figure 9 and column 8, lines 5-10, calculating a route based on a destination, and then requesting a confirmation of the destination and course from the user at step S35.

In view of Yokoyama's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the navigation system as taught by iQue, **(re claim 2)** a unit adapted to set the destination in case data indicating that the destination is not erroneous is accepted from the user; a searching unit adapted to read the link data from the storing unit and search the route from the detected current position to the accepted destination by using the link information data, before the destination is set, in case the input of the destination is accepted; and a unit adapted to specify the searched route as a recommended route in case the destination is set; **(re claim 4)** a step for setting the destination in case data indicating that the destination is not erroneous is accepted from the user; and a step for reading the link data from the storing unit and searching a route from the detected current position to the accepted destination by using the link data, before the destination is set, in case the input of the destination is accepted; and a step for specifying the searched route as a recommended route in case the destination is set; since Yokoyama teaches getting confirmation from a user of both the destination and the course so that the system

knows that the user approves of the destination and course, and the user will be confident that the system has chosen the correct route and destination.

iQue as modified by Yokoyama fails to specifically teach: **(re claim 2)** wherein: the searching unit refers to the data size of the link data within the each mesh area stored in the memory before reading the link data, and confirms whether or not the link data can be developed on the memory; **(re claim 4)** the navigation system further executes a step for referring to the data size of the link data within the each mesh area stored in the memory before the searching step reads the link data, and a step for confirming whether or not the link data can be developed on the memory.

Koh et al teaches, at paragraph [0028], determining if a memory unit provides enough space for storing data from another source. This ensures that a write operation will be successful.

In view of Koh et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the navigation system as taught by iQue as modified by Yokoyama, **(re claim 2)** wherein: the searching unit refers to the data size of the link data within the each mesh area stored in the memory before reading the link data, and confirms whether or not the link data can be developed on the memory; **(re claim 4)** the navigation system further executes a step for referring to the data size of the link data within the each mesh area stored in the memory before the searching step reads the link data, and a step for confirming whether or not the link data can be developed on the memory; since Koh et al teaches determining if a memory

unit provides enough space for storing data, and the screenshot of Reggie teaches obtaining the data size of the individual map sections. This will ensure that a write operation will have enough room to be successful.

Response to Arguments

8. Applicant's arguments, see page 9, filed 8/27/2009, with respect to the objection to the abstract have been fully considered and are persuasive. The objection of the abstract has been withdrawn.

9. Applicant's arguments filed 8/27/2009 have been fully considered but they are not persuasive.

10. Applicant argues on page 11 that the previously applied references do not teach "that the navigation system checks a data size of link data within each mesh area stored in memory, and confirms whether or not the data link can be developed on the memory at the time when a route searching is being processed." However, as discussed above, the iQue 3600 determines a data size of link data as demonstrated by Reggie. Additionally Koh et al teaches determining if a memory unit provides enough space for storing data from another source to ensure that a write operation will have enough room to be successful.

11. Applicant argues on page 11 that iQue and Makoto et al do not teach "that a route from the periphery of the current position to the intersection can be searched 'before the destination is set'." This limitation is found in claims 2 and 4 and is taught by Yokoyama as discussed above. Yokoyama teaches allowing a user to confirm a

destination and a route after the route has been calculated, this lets the user know that the system has chosen the correct route and destination.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SPENCER PATTON whose telephone number is (571)270-5771. The examiner can normally be reached on Monday-Thursday 7:30-5:00; Alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi Tran can be reached on (571)272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SPENCER PATTON/
Examiner, Art Unit 3664

/KHOI TRAN/
Supervisory Patent Examiner, Art Unit 3664